

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD RANDOLPH DAYTON,

Plaintiff,

v.

FAIRFIELD MOBILE HOME and RV
PARK, LLC, et al.,

Defendants.

No. 2:24-cv-0850 DJC SCR

ORDER

Plaintiff proceeds in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On January 16, 2025, the Magistrate Judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 32. Plaintiff has filed objections to the findings and recommendations. ECF No. 33.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the Magistrate Judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 16, 2025, are adopted in

1 full; and

2 2. Defendant Ferrara's Motion to Dismiss (ECF Nos. 9, 14, 17) are GRANTED
3 with leave to amend; and

4 3. Plaintiff shall file a second amended complaint within twenty-one (21) days;
5 and

6 4. Plaintiff's Motion for Default Judgment as to the remaining Defendants (ECF
7 No. 18) is DENIED; and

8 5. This matter is referred back to the assigned Magistrate Judge for all further
9 pretrial proceedings.

10 IT IS SO ORDERED.

11
12 Dated: **February 18, 2025**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE